

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 25, 1971

9:00 A.M.

COUNCIL CHAMBER, CITY HALL

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

Present: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue

Absent: Councilman Atkison

The Invocation was delivered by REVEREND JAMES MAHON, First Presbyterian Church.

INTRODUCTION

Mr. Hoyle Osborn, formerly of the CAPITAL AREA PLANNING COUNCIL, introduced Mr. Richard Bean, the new executive director of the CAPITAL AREA PLANNING COUNCIL, to the City Council.

ZONING APPLICATION WITHDRAWN

Councilman Gage moved that the Council grant the request by Austex Development Company, Ltd. for permission to withdraw zoning application No. C14-71-044. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue

Noes: None

Absent: Councilman Atkison

REQUEST FOR HEARING

Councilman Gage moved that the Council set a hearing on April 8, 1971, 9:30 A.M., to hear an appeal from the decision of the Planning Commission granting Special Permit No. CP-14-71-004 to Mr. Ray Littlefield covering the property locally known as 3508-3510 Red River Street. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

#### URBAN RENEWAL ANNUAL REPORT

Councilman Gage moved that the Council officially note receipt of the Urban Renewal Annual Report as presented by Mr. Leon Lurie, Executive Director, Urban Renewal Agency. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

#### ANNEXATION ORDINANCES

Mayor LaRue brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 197.31 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE JAMES M. MITCHELL SURVEY AND THE JAMES COLEMAN SURVEY, ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.87 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPLGAIIT SURVEY NO. 58 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The ordinance was read the second time and Councilman Price moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Gage carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

#### REQUEST GRANTED

Councilman Gage moved that the Council grant permission to the South Austin Lions Club to use Ben Howell Memorial Trail on April 17-18, subject to proper provisions being made in the City Manager's office. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

#### REFUND CONTRACT

Mayor LaRue brought up the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH AUSTIN LAND INVESTMENT, INC., AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price  
Mayor LaRue  
Noes: None

The Mayor announced that the ordinance had been finally passed.

CORRECTION OF ZONING ORDINANCE

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 710218-D BY CORRECTING MISTAKES IN THE LEGAL DESCRIPTION OF THE PROPERTY LOCALLY KNOWN AS 7508-7642 CAMERON ROAD; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Gage moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The ordinance was read the second time and Councilman Gage moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The ordinance was read the third time and Councilman Gage moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

## CITY OF AUSTIN, TEXAS

The Mayor announced that the ordinance had been finally passed.

## RELEASE OF DRAINAGE EASEMENT

Councilman Gage moved the Council adopt a resolution authorizing release of the following easement:

Lot 26, Block H, and Lot 5, Block F, COLONY NORTH, SECTION THREE

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue

Noes: None

Absent: Councilman Atkison

## TRAFFIC SAFETY CONTROL DEVICES

Councilman Gage moved the Council adopt a resolution authorizing a contract with Southern Pacific Transportation Company for the revision of the traffic safety control devices at Anderson Lane, not to exceed \$2,300.00. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue

Noes: None

Absent: Councilman Atkison

## CONTRACTS AWARDED

Councilman Gage moved that the Council adopt a resolution awarding the following contract:

WORTHINGTON CORPORATION

- Item I, Contract 432A, Fuel  
Oil Service Pumps for Holly  
Unit #4 - \$15,226.00.  
(Capital Improvement Program)

The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue

Noes: None

Absent: Councilman Atkison

## CITY OF AUSTIN, TEXAS

Councilman Price moved the Council adopt a resolution awarding the following contract:

DEXTER L. SIMONS COMPANY	-	For the installation of approximately 170 linear feet of 16-inch cast iron water main, 127 linear feet of 12-inch cast iron water main and 3,014 linear feet of 12-inch cast iron or asbestos cement water main and appurtenances in Middle Fiskville Road - \$33,726.40 (75 working days; City's estimate - \$42,535.25) (Capital Improvement Program)
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The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price  
 Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

Councilman Gage moved the Council adopt a resolution awarding the following contract:

FORNEY ENGINEERING COMPANY	-	Repair parts for Decker Creek Station #1 - \$6,940.30.
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The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price  
 Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

Councilman Price moved the Council adopt a resolution awarding the following contract:

NEWELL SALVAGE COMPANY	-	Sale of Scrap Copper Alloy "Admiralty" Metal Tubes \$8,486.80
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The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price  
 Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

SALE OF SURPLUS EQUIPMENT

Councilman Gage moved the Council adopt a resolution authorizing sale of Surplus Equipment in accordance with bids opened March 8, 1971 as follows:

a.	BILL LYNAS EQUIPMENT CO.	Items 21 and 40	\$ 75.54
b.	BEN GRAY	Item 23	306.00
c.	JOHN H. CLAYTON	Item 24	165.00
d.	WILLIAM LA FRANCE	Items 26, 27 and 28	2,303.00
e.	NAGEL MFG. AND SUPPLY	Item 32	710.00
f.	B & L MAINTENANCE	Items 35, 36 and 38	845.97
g.	WILTON T. SHUGART	Item 39	108.00
h.	D.S. BUTANE & PLUMBING CO.	Items 8, 100, 160 and 161	176.00
i.	NORMAN FUESSEL	Items 11, 101, 102, 103, 109, 110, 128, 135, 162 and 163	21.35
j.	R.W. HOHERTZ	Item 12	51.00
k.	OAK HILL SALES	Items 15 and 54	338.56
l.	D.U. 's AUTO SALES	Items 16, 19, 22, 37, and 46	1,786.00
m.	HENSLEE AUTO PARTS	Items 17, 18, 75, 76 and 77	1,460.00
n.	JOE W. GAULT	Items 41, 137, 164, 165 and 166	438.73
o.	DOUG SLAUSON	Item 42	234.56
p.	BRADSHAR USED CARS	Items 43, 44, 52, 56 and 57	3,630.00
q.	ABEL S. CRUZ	Items 58 and 59	3,000.00
r.	DON NELSON	Item 60	585.99
s.	DAVID H. BROWNING	Item 62	51.15
t.	TED ATTAL	Items 1, 88, 90, 92, 106, 107, 111, 127, 136, 138, 139, 154, 155, 156 and 157	335.57
u.	J.L. HANKEY	Items 2, 89 and 95	123.00
v.	A-1 TRUCK SALES	Items 3, 20, 25, 29, 30, 31, 33, 34, 45, 48, 50, 51, 53, 55, 74	5,563.00
w.	FAIRWAY ESTATES	Item 4	250.00
x.	SILVER CREEK VILLAGE	Item 5	74.30
y.	CAMPUS COLONY	Items 6 and 61	202.00
z.	JIMMY SMITH MOTORS	Items 7, 9, 10, 49, 132, 145, and 158	207.50
aa.	AL TSCHOERNER	Item 87	33.00
ab.	FRANK L. HARRISON	Items 91, 93, 96, 98, 131, 133, 141, 148 and 153	31.57
ac.	ERWIN FUESSEL	Items 94 and 170	18.10
ad.	RONALD TOBIN	Items 118 and 146	5.02
ae.	BUDDY VOIGHT CONSTRUCTION	Items 97, 105 and 108	47.00
af.	MARVIN ROLFF	Item 99	1.50
ag.	HALAMICEK AUTO SUPPLY	Items 63, 129, 130, 144 and 169	53.00
ah.	AUSTIN MOTORCYCLE CO.	Items 64, 65, 66, 67, 68, 69, 70, 71, 72, and 73	3,135.00
ai.	BOB LOWDEN CONSTRUCTION	Items 79 and 125	18.00
aj.	STANLEY D. PERRY	Item 124	5.05
ak.	LEO O. MUELLER	Item 143	21.00
al.	DOCHEN JUNK AND PARTS	Items 149 and 150	120.00
am.	CHARLES WOEFEL	Item 152	30.00
an.	MARION ROLFF	Item 159	8.04

## CITY OF AUSTIN, TEXAS

## SALE OF SURPLUS EQUIPMENT (continued)

ao.	BERT ROSS	Item 193	238.00
ap.	BOBBY ZENKNER	Items 171, 173, 175, 176 and 177	66.19
aq.	RICHARD B. DABNEY	Items 172, 174, 178, 179, 180, and 181	66.00
		TOTAL	\$26,938.69

The Council rejected the bids on the following items:

Items 13, 14, 104, 147, 167, 168, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191 and 192.

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

## DEMOLITION SERVICES

Councilman Price moved the Council adopt a resolution accepting bid of VINCENT FERRER in the amount of \$325.25 for the demolition of the following:

- a. Garages and concrete slabs located at the rear of 4524 and 4532 Highland Terrace.
- b. Concrete slab only located at the rear of 4528 Highland Terrace.
- c. Concrete, rubble and trash to be cleared at the location of 1711-13 Northwood Drive.

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

## CONTRACTS AWARDED

Councilman Gage moved the Council adopt a resolution authorizing contracts with SOUTHWEST SOCIOMETRICS INSTITUTE for the provision of data needed for Model Cities evaluation and planning proposal - Total cost - \$9,511.00 - Model Cities share - \$6,500 - Planning Department share - \$3,011. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None  
Absent: Councilman Atkison

#### SIDEWALK ORDINANCES

Mayor LaRue opened the public hearing scheduled for this time on the proposed sidewalk ordinances.

Mr. Don Butler, City Attorney, explained the ordinances to the Council; the first would prohibit the storage of merchandise on streets or sidewalks for the purpose of selling or offering for sale, and the second would prohibit the selling of merchandise on streets or sidewalks. The Council discussed the effects of the two ordinances.

Tom Wattson, a member of the University Cooperative Society presented a petition to the Council signed by 76 employees of the University Co-Op which supports the retention of the street vendors. Mr. Robert Wise, an engineer spoke in favor of the street vendors, stating that they were an attraction to the Austin community. Terry Roberts, ex-vice president of Travis Security System spoke in favor of the street vendors stating that they are fine upstanding citizens and are not drug-pushers. He also noted that the buildings from 19th Street to 24th Street on the west side of Guadalupe stand on four feet of City property and wondered what the City Council would do about this in light of the ordinances.

Cliff Sugarman, past president of Sugarman International Enterprises, and a student at the University of Texas spoke on the fine character of the people who were selling their wares on Guadalupe, being honest, hard working, and loyal. Ms. Page Allen, an artist and sculpturist, appeared to ask the Council how the ordinances would effect her livelihood of selling at art shows held in the city. Mrs. Quick, a homemaker spoke in favor of the street vendors. Landon Bailey, a vendor appeared before the Council questioning the regulations of the two ordinances. Gerald Barnett appeared to speak in favor of licensing the vendors.

Ron, the Beadman, a street vendor, read a poem to the Council that he had written concerning the proposed ordinance. Paulina VanMabel, an art student at the University of Texas spoke against the ordinance. Raymond Mueller, a flower seller told the Council of his experiences of having obstacles thrown at him while selling. Bob Wilson told the Council that the street vendors had become a tourist attraction for Austin.

Phil Hewitt, a university student, asked the Council why ice cream vendors would be allowed to sell from the streets but the drag vendors would not. Tim Curtis stated that the public hearing had shown that the general public desired the use of sidewalks for vending purposes which was apparent because no one had appeared to support the ordinance. Tim Coultrey stated that the issue at hand was whether or not the sidewalks are being obstructed, not the type of people doing the selling and their life-style. Bob Bryan appeared before the Council to say that the situation did not yet warrant the passage of an ordinance.

Raymond Donley, candidate for mayor, asked that the Council allow the vendors to remain in business until a market place is built. Samuel Henson, broom vendor, appeared to ask the Council how his business would be affected. Bill Smith told the Council that a problem did not exist and that the passage of an ordinance at this time would be a hasty action. Ronald Pearson asked that the Council consider the effects of licensing the vendors.

Mayor LaRue asked that the Council take this subject up again at the afternoon session. Councilman Gage moved that the public hearing be closed. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

COUNCIL RECESSED

1:30 P.M.

PUBLIC HEARING  
ON  
PLANNED UNIT DEVELOPMENTS

Mayor LaRue opened the public hearing scheduled for this time.

Mr. Richard Lillie, Planning Director, presented to the Council a draft of the ordinance proposed, Amendments to the Subdivision Zoning Ordinance, which has been recommended by the Planning Commission, and a set of informal guidelines that the staff and Planning Commission would be using in review of Planned Unit Development project proposals.

Mr. Lillie stated that the Planned Unit Development concept was in keeping with the master plan for the City, while at the same time authorizing departure from the subdivision and zoning requirements insofar as use, setback, height, minimum lot size, etc. It is also intended to permit a more creative approach to the utilization of all taxable land, including residential, commercial and industrial both inside and outside of the City within the five mile jurisdiction. It will allow enhancement of the appearance and utility of land to the preservation of natural features and historic sites. It is intended to allow more open space and green belts. It is intended to preserve flood ways and slope areas for trees. It is also intended to provide an opportunity for more desirable neighborhood environment which is not possible now in the City of Austin under the existing codes and ordinances. It is also intended to allow a more efficient use of land and less costly streets and utilities; that is, there should be fewer needs for linear streets and utilities, which in turn will hopefully lower housing costs and the cost of continuing City service.

The amendment to the subdivision zoning ordinance would establish definitions of Planned Unit Development; require subdivision plats approval and recording and a special permit approval; establish a fee schedule; identify the information required on the site plan; authorize under certain circumstances departure from the existing subdivision and the zoning ordinance requirement; provide for the expiration of special permits after two years with the ability of the City to review the progress made under the special permits and the ability also of the developer to get a year's extension if progress has been made; and provides that the Planned Unit Development regulations are applicable both within the City and with the City's five mile jurisdiction. Final approval of the subdivision plat rests with the Planning Commission. Final approval of the special permit rests with the Planning Commission and the City Council. In addition to the ordinance amendment, the Planning Commission has adopted a set of guidelines which will be used as a basis for their review on each application. Under this proposal, the guidelines are being adopted as a sort of policy statement by the Planning Commission, not as a part of the ordinance. It is felt that the changes can be accomplished without formal ordinance amendment.

Questions were asked concerning a change in zoning laws, taxation policies of the City, the legal relationship of the unit to the City, and possible effects of racial exclusion.

Councilman Gage moved to close the public hearing. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson,, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 41 AND CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 SO AS TO ESTABLISH STANDARDS GOVERNING THE DEVELOPMENT OF PLANNED UNIT DEVELOPMENTS; PROVIDING A DEFINITION THEREOF; PROVIDING PLAN SUBMISSION REQUIREMENTS; PROVIDING FOR FINAL APPROVAL THEREOF BY THE CITY PLANNING COMMISSION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Gage moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The ordinance was read the second time and Councilman Gage moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The ordinance was read the third time and Councilman Gage moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

#### ANNEXATION HEARING

Mayor LaRue opened the public hearing scheduled for this time on the following annexations:

187.0 acres of unplatted land out of the Santiago Del Valle Grant including a portion of Burleson Road.

Mr. David Barrow, Jr., landowner, appeared before the Council to object to the annexation. Mr. Woodrow Slash, representing the school district, spoke in favor of the annexation.

Richard Lillie, Planning Director, stated that it was necessary to get Burleson Road within the corporate limits of the City because of the traffic problem and the traffic jurisdiction and to get land around the school into the City limits for its development.

Councilman Gage moved that the Council accept the recommendation of Mr. Lillie and direct the administration to institute annexation proceedings to annex that portion of land immediately south of the school site and from there north. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, MacCorkle, Price, Mayor LaRue  
Noes: Councilmen Janes, Johnson  
Absent: Councilman Atkison

344.0 acres of unplatted land out of the Santiago Del Valle Grant

An architect representing the owners of 344.0 acres of unplatted land out of the Santiago Del Valle Grant appeared before the Council to ask that the land not be annexed. Councilman Price moved that the land be left outside of the City limits. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilman Gage, Janes, Johnson, MacCorkle, Price  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

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95.7 acres of unplatted land out of the Isaac Decker League, including a portion of Shelby Lane

A property owner of approximately half of the 95.7 acres of unplatted land out of the Isaac Decker League appeared before the Council to request that the land not be annexed. Councilman Janes moved that the land not be annexed at this time. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

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623.5 acres of unplatted land out of the Santiago Del Valle Grant

Mr. Kent Riter, representing Mr. and Mrs. Fagan Dickson, appeared before the Council concerning 623.5 acres of unplatted land out of the Santiago Del Valle Grant. Mr. Riter stated that Mr. and Mrs. Dickson were out of the country and that they had asked that annexation be held in abeyance until they had an opportunity to return and represent themselves in the Council Chamber. Councilman Gage moved that the Council postpone action on the 623.5 acres of unplatted land out of the Santiago Del Valle Grant. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

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13.3 acres of land out of the James Trammel Survey:

Sunset Valley, Section 2  
Flournoy Acres, Section 2  
A portion of Jones Road

Mr. Lynn Andrews, City Manager, asked that the Council defer action on the 13.3 acres of land out of the James Trammel Survey. Councilman Gage moved that the Council accept the City Manager's recommendation and postpone action on the 13.3 acres of land out of the James Trammel Survey. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Mohnson, MacCorkle, Price  
Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

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Due to the fact that there were no other people in the Council Chambers to speak on the annexation hearing, the Council postponed action on the following parcels of land:

- a. 50.0 acres of unplatted land out of the John Applegait Survey
- b. 39.5 acres of unplatted land and a portion of Jones Road
- c. 9.8 acres of unplatted land out of the Henry P. Hill League
- d. 67.3 acres of unplatted land out of the Henry P. Hill League
- e. 32.4 acres of unplatted land out of the George W. Davis Survey, including a portion of Rutland Drive
- f. 254.0 acres of unplatted land out of the Santiago Del Valle Grant including portions of Levander Loop and Gardner Road

#### SIDEWALK ORDINANCE - FIRST READING

Mayor LaRue brought up the following ordinance for its first reading:

AN ORDINANCE AMENDING SECTION 31-4, CHAPTER 31, AUSTIN CITY CODE OF 1967, PROHIBITING THE PLACING OR DISPLAYING OF ITEMS UPON PUBLIC STREETS, SIDEWALKS AND OTHER PUBLIC BY-WAYS; PROHIBITING THE SALE OF MERCHANDISE AND WARES PLACED OR DISPLAYED THEREON; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

Councilman Janes cited the report of the Grand Jury Association, stating that he did not feel the proposed ordinance would solve the problem. He also felt that it would prohibit many activities which were not offensive to the general populus. Councilman Johnson felt that the ordinance would impose the same public right of way requirements on the general public as were already imposed upon the business community.

The ordinance was read the first time and Councilman MacCorkle moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, MacCorkle, Price, Mayor LaRue  
Noes: Councilman Janes  
Absent: Councilman Atkison  
Out of Room at Roll Call: Councilman Gage

#### ENGINEERING TESTING SERVICES SELECTED

Councilman Janes moved the Council select SNOWDEN AND MEYER as the Soils Engineering Services for engineering testing services for the bridge on Springdale Road over Boggy Creek and the three bridges on South First Street at the three crossings of Williamson Creek. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison  
Out of Room at Roll Call: Councilman Gage

#### APPLICATION AUTHORIZED

Councilman Price moved the Council adopt a resolution authorizing the City Manager to submit an application for Public Transportation Study in the amount of \$93,000. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison  
Out of Room at Roll Call: Councilman Gage

#### SALE APPROVED

Councilman Price moved the Council approve the sale of parcel in Glen Oaks Project, Tex. R-70, as follows:

Parcel R-2	Darrell Cummings	\$2,500.00
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The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Out of Room at Roll Call: Councilman Gage  
Absent: Councilman Atkison

#### AFFILIATION AGREEMENT AUTHORIZED

Councilman Price moved the Council adopt a resolution authorizing affiliation agreement between City of Austin Health Department and University of Texas School of Nursing. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Out of Room at Roll Call: Councilman Gage  
Absent: Councilman Atkison

#### ANIMAL SHELTER AGREEMENT AUTHORIZED

Councilman Price moved the Council adopt a resolution authorizing agreement between the Humane Society and the City of Austin Health Department for operation of Animal Shelter. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Out of Room at Roll Call: Councilman Gage  
Absent: Councilman Atkison

#### SIDEWALK PROGRAM APPROVED

Councilman Price moved the Council approve the School Sidewalk Construction Program, as recommended by the City Manager, out of the Capital Improvement Program budget. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Out of Room at Roll Call: Councilman Gage  
Absent: Councilman Atkison

#### REPORT SUBMITTED

City Manager Andrews stated that a report had been submitted to the Council at the request of Councilman Johnson, concerning the inspection and maintenance of grease-traps to prevent the pollution of streams and drainage facilities in Austin.

## CITY OF AUSTIN, TEXAS

## TAX APPEALS HEARING

Mayor LaRue opened the hearing scheduled for 2:00 P.M. to hear the following Tax Appeals:

H.J. MAYTON LAMAR VILLAGE By George Mayton		Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
3800 Blk.	LAND	\$2,837	\$12,764	\$9,570	\$2,130	No Appeal
Medical	IMPS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
Parkway						
South 44.67 feet Lot 2, Block 2, H.B. Seiders Parcel No. 2-2102-1103	TOTAL	\$2,837	\$12,764	\$9,570	\$2,130	
3800 Blk.	LAND	\$2,032	\$11,430	\$8,570	\$1,520	No Appeal
Medical	IMPS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
Parkway						
Center 40 feet Lot 2, Block 2, H.B. Seiders Parcel No. 2-2102-1104	TOTAL	\$2,032	\$11,430	\$8,570	\$1,520	
3800 Blk.	LAND	\$2,985	\$13,430	\$10,070	\$2,240	No Appeal
Medical	IMPS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
Parkway						
North 8.17 feet of Lot 2, & South 38.83 feet of Lot 3, Block 2, H.B. Seiders Subd. Parcel No. 2-2102-1105	TOTAL	\$2,985	\$13,430	\$10,070	\$2,240	
3808-3830 North Lamar Lots 4, 5, and 6, Block 2, H.B. Seiders Subd. Parcel No. 2-2102-1115	LAND	\$52,359	\$105,845	\$79,380	\$39,270	No Appeal
	IMPS	<u>64,319</u>	<u>75,404</u>	<u>56,550</u>	<u>48,240</u>	
	TOTAL	\$116,678	\$181,249	\$135,930	\$87,510	

H.J. MAYTON LAMAR VILLAGE By George Mayton (continued)		Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
3800	LAND	\$25,634	\$54,804	\$41,100	\$19,230	No Appeal
North Lamar	IMPS	<u>29,106</u>	<u>31,420</u>	<u>23,570</u>	<u>21,830</u>	
Lot 1, E. Seiders	TOTAL	\$54,740	\$86,224	\$64,670	\$41,060	
Subdivision Parcel No. 2-2102-1116						
3807-3809	LAND	\$ 25,265	\$73,625	\$55,220	\$18,950	No Appeal
Medical Pky.	IMPS	<u>97,570</u>	<u>106,004</u>	<u>79,500</u>	<u>73,180</u>	
Lot 1, Block 2,	TOTAL	\$122,835	\$179,629	\$134,720	\$92,130	
H.B. Seiders and Lot 2, E. Seiders Parcel No. 2-2102-1117						

Mr. Mayton objected to the sharp increase in land value assessments since 1969, which he said was 2 1/2 times the assessment in 1969. He stated that there had been a 35% increase in taxes from 1969 to 1970.

Mr. Klitgaard stated that area sales were used to value the subject property. All of Mr. Mayton's property averaged \$2.45 per square foot. He saw no evidence in the market of property selling less than that figure.

After a lengthy discussion among the Council, Councilman Price moved the Council set the land value at \$2.00 per square foot. The motion, seconded by Councilman Johnson, failed to carry by the following vote:

- Ayes: Councilmen Johnson, Price,
- Noes: Councilmen Gage, Janes, MacCorkle, Mayor LaRue
- Absent: Councilman Atkison

Councilman Gage moved the Council set the land value at \$2.25 per square foot. The motion died for lack of a second.

Councilman Janes moved the Council uphold the recommendations of the Equalization Board as follows:

H.J. MAYTON LAMAR VILLAGE By George Mayton		Assessed Value Fixed by Board	Council Action
3800 Block Medical	LAND	\$9,570	\$9,570
Parkway	IMPS	<u>0</u>	<u>0</u>
South 44.67 feet Lot 2, Block 2, H.B. Seiders	TOTAL	\$9,570	\$9,570
Parcel No. 2-2102-1103			

## CITY OF AUSTIN, TEXAS

H.J. MAYTON LAMAR VILLAGE By George Mayton (continued)		Assessed Value Fixed By Board	Council Action
3800 Block	LAND	\$8,570	\$8,570
Medical Parkway	IMPS	<u>0</u>	<u>0</u>
Center 40 feet Lot 2, Block 2			
H.B. Seiders	TOTAL	\$8,570	\$8,570
Parcel No. 2-2102-1104			
3800 Block	LAND	\$10,070	\$10,070
Medical Parkway	IMPS	<u>0</u>	<u>0</u>
North 8.17 feet of Lot 2 & South 38.83 feet	TOTAL	\$10,070	\$10,070
of Lot 3, Block 2 H.B. Seiders Subd. Parcel No. 2-2102-1105			
3808-3830 N. Lamar	LAND	\$ 79,380	\$ 79,380
Lots 4, 5, and 6, Block 2,	IMPS	<u>56,550</u>	<u>56,550</u>
H.B. Seiders Subd.	TOTAL	\$135,930	\$135,930
Parcel No. 2-2102-1115			
3800 North Lamar	LAND	\$41,100	\$41,100
Lot 1,	IMPS	<u>23,570</u>	<u>23,570</u>
E. Seiders Sub.	TOTAL	\$64,670	\$64,670
Parcel No. 2-2102-1116			
3807-3809	LAND	\$ 55,220	\$ 55,220
Medical Parkway	IMPS	<u>79,500</u>	<u>79,500</u>
Lot 1, Block 2, H.B. Seiders and	TOTAL	\$134,720	\$134,720
Lot 2, E. Seiders Parcel No. 2-2102-1117			

The motion, seconded by Councilman MacCorkle, failed to carry by the following vote:

Ayes: Councilmen Janes, MacCorkle, Mayor LaRue  
 Noes: Councilmen Gage, Johnson, Price  
 Absent: Councilman Atkison

Councilman Price moved the Council set the land value at \$2.15 per square foot. The motion, seconded by Councilman Gage, failed to carry by the following vote:

Ayes: Councilmen Gage, Johnson, Price  
 Noes: Councilmen Janes, MacCorkle, Mayor LaRue  
 Absent: Councilman Atkison

At this point, a ruling was requested from the City Attorney with regard to Mr. Mayton's tax status, since the Council was deadlocked. The City Attorney stated that the assessed valuation placed on the subject property by the Tax Department was final unless changed by the Council. In this instance, the assessment remained as set by the Tax Department.

ALLAN H. LEISTICO  
 By Mrs. Allan Leistico

		Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
919 East 37th						
St. South	LAND	\$2,301	\$4,108	\$3,080	Not Signed	No Appeal
151.75 feet	IMPS	<u>3,917</u>	<u>4,024</u>	<u>3,020</u>		
Lot 2,						
Block 2,	TOTAL	\$6,218	\$8,132	\$6,100		
Outlot 21, Div., C, Plainview Heights Resub. Parcel No. 2-1508-0410						
East 38 1/2	LAND	\$5,638	\$7,765	\$5,820	Not Signed	No Appeal
& Harmon	IMPS	<u>0</u>	<u>0</u>	<u>0</u>		
Lot 8,						
Block A,	TOTAL	\$5,638	\$7,765	\$5,820		
Outlot 20 and 21, Division C, Resubdivision of Block 4, Plainview Heights Parcel No. 2-1709-0601						
1016 East 38th St.						
Lot 10,	LAND	\$ 3,664	\$ 3,664	\$2,750	Not Signed	No Appeal
Block A,	IMPS	<u>6,339</u>	<u>7,189</u>	<u>5,390</u>		
Outlot 20						
and 21,	TOTAL	\$10,003	\$10,853	\$8,140		
Division C, Resubdivision of Block 4, Plainview Heights Parcel No. 2-1709-0608						

ALLAN H. LEISTICO  
By Mrs. Allan Leistico  
(continued)

	Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
1014 East 38th					
Lot 9, LAND	\$ 4,588	\$ 4,937	\$3,700	Not Signed	No Appeal
Block A, IMPS	<u>7,337</u>	<u>8,334</u>	<u>6,250</u>		
Outlot 20 and 21, TOTAL	\$11,925	\$13,271	\$9,950		
Division C, Resubdivision of Block 4, Plainview Heights Parcel No. 2-1709-0609					
3800 Interregional					
West 20 LAND	\$26,398	\$40,090	\$30,070	Not Signed	No Appeal
feet of IMPS	<u>37,045</u>	<u>34,655</u>	<u>25,990</u>		
Lots 1 and 2, Block 4 TOTAL	\$63,443	\$74,745	\$56,060		
and all of Lots 11 and 12, Block A, Outlot 20 and 21, Division C, Resubdivision of Block 4, Plainview Heights Parcel No. 2-1709-0610					
3808 East Ave.					
South 26 x LAND	\$6,375	\$ 9,563	\$7,170	Not Signed	No Appeal
150 feet IMPS	<u>3,010</u>	<u>2,707</u>	<u>2,030</u>		
Lots 3-7, Block A, TOTAL	\$9,385	\$12,270	\$9,200		
Outlot 20 and 21, Division C, Resub. of Block 4, Plainview Heights Parcel No. 2-1709-0613					
1017 East 38 1/2 St.					
West 47 feet LAND	\$3,673	\$4,897	\$3,670	Not Signed	No Appeal
of Lot 7, IMPS	<u>0</u>	<u>0</u>	<u>0</u>		
Block A, TOTAL	\$3,673	\$4,897	\$3,670		
Outlots 20 and 21, Div. C, Resub. of Block 4, Plainview Heights Parcel No. 2-1709-0614					

CITY OF AUSTIN, TEXAS

ALLAN H. LEISTICO  
By Mrs. Allan Leistico  
(continued)

		<u>Full Value by the Tax Dept. 1969</u>	<u>Full Value by the Tax Dept. 1970</u>	<u>Assessed Value by Tax Dept.</u>	<u>Value Rendered by Owner</u>	<u>Assessed Value Fixed by Board</u>
1006 East	LAND	\$2,066	\$2,754	\$2,070	Not Signed	No Appeal
39th St.	IMPS	<u>5,370</u>	<u>5,675</u>	<u>4,260</u>		
Center 52.28 feet of	TOTAL	\$7,436	\$8,429	\$6,330		
South 207.2 feet						
Lot 1, Block 9, Outlot 20 and 21 Division C Plainview Heights Parcel No. 2-1709-0817						

NATHAN HENRY  
LEISTICO  
By Mrs. Allan Leistico

		<u>Full Value by the Tax Dept. 1969</u>	<u>Full Value by the Tax Dept. 1970</u>	<u>Assessed Value by Tax Dept.</u>	<u>Value Rendered by Owner</u>	<u>Assessed Value Fixed by Board</u>
3709 Robinson					Not Signed	No Appeal
Lot 11,	LAND	\$1,250	\$1,750	\$1,310		
Block 4,	IMPS	<u>0</u>	<u>0</u>	<u>0</u>		
Outlot 29, Division C, University Park Subdivision Parcel No. 2-1509-0411	TOTAL	\$1,250	\$1,750	\$1,310		

ROSALIA LEISTICO  
By Mrs. Allan Leistico

3503 Harmon	LAND	\$ 1,680	\$10,500	\$ 7,880	Not Signed	\$ 2,700
50 x 140	IMPS	<u>26,293</u>	<u>29,274</u>	<u>21,960</u>		
feet, Block 3,	TOTAL	\$27,973	\$39,774	\$29,840		
Outlot 21, Division C Plainview Heights Parcel No. 2-1508-0820						\$24,660

ROSALIA LEISTICO  
By Mrs. Allan Leistico  
(continued)

	Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered By Owner	Assessed Value Fixed By Board
3709 East Avenue					
East 110.32 LAND	\$ 8,025	\$13,375	\$10,030	Not Signed	\$10,030
feet IMPS	<u>2,921</u>	<u>2,958</u>	<u>2,220</u>		<u>2,220</u>
Lot 11, Block 2, Outlot 29, Div. C, University Park Subd. Parcel No. 2-1509-0211	TOTAL \$10,946	\$16,333	\$12,250		\$12,250

This appeal was not heard by the Board of Equalization, but was being appealed directly to the City Council.

Mrs. Leistico appeared before the Council to protest the tax assessment. Mr. Klitgaard stated that the valuations were based on sales in the area. After a brief discussion, Councilman Janes moved the Council accept the appraisal of the Tax Department.

The motion, seconded by Councilman MacCorkle, failed to carry by the following vote:

Ayes: Councilmen Janes, MacCorkle, Mayor LaRue  
Noes: Councilmen Gage, Johnson, Price  
Absent: Councilman Atkison

Councilman Price moved the Council set the valuation at \$225 per front foot. The motion, seconded by Councilman Gage, failed to carry by the following vote:

Ayes: Councilmen Gage, Johnson, Price, Mayor LaRue  
Noes: Councilmen Janes, MacCorkle, Mayor LaRue  
Absent: Councilman Atkison

Since

Since the Council remained deadlocked, the assessment remained as set by the Tax Department.

Mrs. Leistico protested the tax assessment on the land located at 3800 Interregional and at 3808 Interregional. Mr. Klitgaard reviewed land values in the area and pointed out that they were comparable to the subject property. After some discussion, Councilman MacCorkle moved the Council uphold the assessed valuation of the Tax Department. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: Councilmen Gage, Price  
Absent: Councilman Atkison

CITY OF AUSTIN, TEXAS

EDWARD TABORSKY

		Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
4503 Parkwood Rd.						
Lot 1,	LAND	\$ 3,581	\$ 5,304	\$ 3,980	Not Signed	\$ 3,980
Block L,	IMPS	<u>\$1,079</u>	<u>13,302</u>	<u>9,980</u>		<u>9,980</u>
Delwood						
Section 2	TOTAL	\$14,660	\$18,606	\$13,960		\$13,960
Parcel No. 2-1912-0601						

Mr. Taborsky stated that the property was located among small houses and was near the airport, which would depreciate the value of the property, due to jet noise. The house was near an apartment house which created problems, plus the area was going more and more Black, which he felt lowered the value of the property.

Mr. Klimgaard stated that he felt the facts collected by the assessor would support the valuation. After further discussion by the Council, Councilman Gage moved the Council leave the tax value the same as in 1969, at \$14,660. The motion, seconded by Councilman Price, failed to carry by the following vote:

Ayes: Councilmen Gage, Price  
 Noes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue  
 Absent: Councilman Atkison

Councilman Janes moved the Council accept the valuation placed by the Tax Department. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue  
 Noes: Councilmen Gage, Price  
 Absent: Councilman Atkison

The following Tax Appeal was rescheduled because the appellant did not appear.

		Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
JOHN C.+& DORIS E. WHITT						
204 Prairie Dell						
Lot 32,	LAND	\$1,517	\$ 3,034	\$ 2,280	Not Signed	\$ 2,280
Block B,	IMPS	<u>880095</u>	<u>11,762</u>	<u>8,820</u>		<u>8,240</u>
Holiday Hills						
Section 1	TOTAL	\$9,612	\$14,796	\$11,100		\$10,520
Parcel No. 2-3313-0811						

The following Tax Appeal was postponed.

S. WAYNE WOOD

		<u>Full Value by the Tax Dept. 1969</u>	<u>Full Value by the Tax Dept. 1970</u>	<u>Assessed Value by Tax Dept.</u>	<u>Value Rendered by Owner</u>	<u>Assessed Value Fixed by Board</u>
3803 Avenue B						
Center 48	LAND	\$1,100	\$2,750	\$2,060	\$830	\$2,060
feet of	IMPS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
East 125						
feet Lot 3,	TOTAL	\$1,100	\$2,850	\$2,060	\$830	\$2,060
Outlot 78, Division D, Lee Subdivision Parcel No. 2-1905-0601						
312 West 38th St.						
65 x	LAND	\$2,237	\$ 7,455	\$5,590	\$1,680	\$5,590
110 feet of	IMPS	<u>2,749</u>	<u>2,819</u>	<u>2,110</u>	<u>2,060</u>	<u>2,110</u>
Lot 3, Outlot 78, Division D, TOTAL						
		\$4,986	\$10,274	\$7,700	\$3,740	\$7,700
Lee Subdivision Parcel No. 2-1905-0614						
4801 Burnet Road						
Lot 2,	LAND	\$6,382	\$12,764	\$ 9,570		\$ 9,570
Sam R.	IMPS	<u>3,308</u>	<u>17,086</u>	<u>12,810</u>		<u>12,810</u>
Wood Subdivision Parcel No. 2-2403-0222						
	TOTAL	\$9,690	\$29,850	\$22,380	\$9,630	\$22,380
5707 Avenue G						
Lot 163,	LAND	\$1,464	\$2,329	\$1,750	\$1,100	\$1,750
Sky View	IMPS	<u>4,568</u>	<u>5,061</u>	<u>3,800</u>	<u>3,430</u>	<u>3,800</u>
Section 3 Parcel No. 2-2610-0619						
	TOTAL	\$6,032	\$7,390	\$5,550	\$4,530	\$5,550

The Council then heard the following Tax Appeal:

EDWIN W. BROWN (SAGE)  
By Rogan Giles

		<u>Full Value by the Tax Dept. 1969</u>	<u>Full Value by the Tax Dept. 1970</u>	<u>Assessed Value by Tax Dept.</u>	<u>Value Rendered by Owner</u>	<u>Assessed Value Fixed by Board</u>
6501 Airport Blvd.						
10 acres	LAND	\$116,770	\$326,700	\$245,030	\$ 87,580	\$245,030
James P.	IMPS	<u>477,964</u>	<u>572,608</u>	<u>429,460</u>	<u>358,470</u>	<u>429,460</u>
Wallace Survey						
Parcel No. 2-2911-0801						
	TOTAL	\$594,734	\$899,308	\$674,490	\$446,050	\$674,490

Mr. Giles, representing Sage, Inc., was appealing both land and buildings. He felt that his client was being discriminated against because the adjoining Highland Mall Shopping Center was valued at a considerably lower figure for tax purposes.

Mr. Klitgaard defended the valuation placed on Highland Mall and on the Sage property. He stated that it was comparable with other discount houses. The larger Highland Mall tract was justifiably valued at a lower figure than the smaller Sage tract.

The Council, Mr. Klitgaard and Mr. Giles discussed the subject property at length. Councilman Price moved the Council accept the valuation of the improvements as is and set the land valuation at 60¢ per square foot. The motion, seconded by Councilman Gage, failed to carry by the following vote:

Ayes: Councilmen Gage, Johnson, Price  
Noes: Councilmen Janes, MacCorkle, Mayor LaRue  
Absent: Councilman Atkison

Councilman Janes moved the Council uphold the Recommendations of the Board of Equalization as follows:

EDWIN W. BROWN (SAGE, INC.) By Rogan Giles		<u>Assessed Value Fixed By Board</u>	<u>Council Action</u>
6501 Airport Blvd.	LAND	\$245,030	\$245,030
10 acres James P.	IMPS	<u>429,460</u>	<u>429,460</u>
Wallace Survey			
Parcel No. 2-2911-0801		TOTAL	\$674,490

The motion, seconded by Councilman MacCorkle, failed to carry by the following vote:

Ayes: Councilmen Janes, MacCorkle, Mayor LaRue  
 Noes: Councilmen Gage, Janes, Price  
 Absent: Councilman Atkison

The Mayor announced that due to the Council deadlock, the Board of Equalization's recommendations had been sustained.

AT THIS POINT, COUNCILMAN GAGE LEFT THE MEETING.

J.R. & MYRA K. SLOVER By Sam R. Perry	Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
4719 Harmon LAND	\$ 13,005	\$ 43,350	\$ 32,510	\$ 9,750	\$ 32,510
Lot 10, IMPS	224,592	233,947	175,460	168,440	175,460
Block V, TOTAL	\$237,597	\$277,297	\$207,970	\$178,190	\$207,970
Ridgetop Fourth Addition Parcel No. 2-2011-0911					

Mr. Perry discussed the proximity of the property to the airport and how a recent plane crash had caused people to move from the neighborhood, thereby creating vacancies in the apartment house and reducing rental income. Mr. Perry questioned why his client's property with improvements was valued at \$1.00 per square foot while the adjoining vacant lot was valued at 75¢ per square foot.

Mr. Klitgaard stated that his Department was reluctant to raise the valuation on vacant property until its highest and best use was established. He referred to comparable area apartments where land values were over \$1.00 per square foot.

Councilman Janes moved the Council set the land valuation at 75¢ per square foot and leave the improvements the same. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilmen Atkison, Gage

The following Tax Appeal was withdrawn:

## MARCELITE K. WHISENHUNT

	<u>Full Value by the Tax Dept. 1969</u>	<u>Full Value by the Tax Dept. 1970</u>	<u>Assessed Value by Tax Dept.</u>	<u>Value Rendered by Owner</u>	<u>Assessed Value Fixed by Board</u>
3410 Speedway					
Lot 11, LAND	\$3,449	\$ 6,897	\$5,170	Not Signed	\$5,170
Block 1, IMPS	<u>3,660</u>	<u>4,187</u>	<u>3,140</u>		<u>3,140</u>
Outlot 77,					
Division D, TOTAL	\$7,109	\$11,084	\$8,310		\$8,310
C.J. Boes Resubdivision of Buddington Subdivision Parcel No. 2-1804-0903					

The following Tax Appeal was postponed:

## JOHN L. WILDER

	<u>Full Value by the Tax Dept. 1969</u>	<u>Full Value by the Tax Dept. 1970</u>	<u>Assessed Value by Tax Dept.</u>	<u>Value Rendered by Owner</u>	<u>Assessed Value Fixed by Board</u>
1907 Northridge					
Lot 8, LAND	\$ 2,110	\$ 3,375	\$ 2,530	Not Signed	\$ 2,530
Block C, IMPS	<u>15,451</u>	<u>18,185</u>	<u>13,460</u>		<u>13,460</u>
Delwood 4,					
East Section 1					
Parcel No. 2-2217-1008					
TOTAL	\$17,561	\$21,560	\$15,990		\$15,990

The following appellant did not appear before the Council:

## JUANITA V. THOMPSON WILLEFORD

	<u>Full Value by the Tax Dept. 1969</u>	<u>Full Value by the Tax Dept. 1970</u>	<u>Assessed Value by Tax Dept.</u>	<u>Value Rendered by Owner</u>	<u>Assessed Value Fixed by Board</u>
2402 Shoalmont					
Lot 4, LAND	\$2,256	\$ 3,158	\$2,370	\$1,690	\$2,370
Block C, IMPS	<u>7,418</u>	<u>8,328</u>	<u>6,250</u>	<u>5,560</u>	<u>6,250</u>
Shoalmont TOTAL	\$9,674	\$11,486	\$8,620	\$7,250	\$8,620
Addition Section 4 Parcel No. 2-3002-0119					

Mr. Klitgaard stated that there were approximately 22 more appeals to be heard. The Council agreed to hear more Tax Appeals at 2:00 P.M., April 8, 1971.

#### BUS SERVICE DISCUSSED

City Manager Andrews reported that an inquiry was under way to determine if State funds were available for the Senior Citizens Bus Service and if the funds could be used to contract with the Austin Transit Company for this service.

#### GOLF COURSE CONSULTANTS SCHEDULED

City Manager Andrews reported that consultants for the golf course would appear before the Council on April 8.

#### EXECUTIVE SESSION ANNOUNCED

Mayor LaRue announced that the Council would go into Executive Session at this time to appoint several Judges for the Council Election.

#### ELECTION OFFICIALS APPOINTED

Following the Executive Session, the Council resumed business in open session. The Council then appointed Election Officials in the following precincts for the upcoming Municipal Election to be held April 3, 1971:

Precincts 134, 137, 130/141, 239, 243, 320/331, 321, 323, 326, 329, 333 and 420

#### PARADE PERMIT NOT ISSUED

The Council did not take up the matter of a parade permit for the Roundup Committee of the University of Texas since it was decided not to hold the parade.

#### ADJOURNMENT

The Council then adjourned.

APPROVED: \_\_\_\_\_

Mayor

ATTEST: \_\_\_\_\_

City Clerk